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Attorneys for Defendant APPLE INC.

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 (SAN JOSE DIVISION)

21 GPNE, CORP.

Plaintiff,

22 v.

23 APPLE INC.,

Defendant.

Case No. 5:12-cv-02885-LHK

**APPLE'S ADMINISTRATIVE MOTION
TO FILE UNDER SEAL**

Date: April 3, 2014
Time: 1:30 p.m.
Place: Courtroom 8, 4th Floor
Judge: Hon. Lucy H. Koh

1 **APPLE'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL**

2 Pursuant to Civil Local Rule 79-5, General Order No. 62, and the Court's Civil Standing
 3 Order Regarding Motions to File Under Seal, Defendant Apple Inc. hereby moves the Court for
 4 permission to file under seal Exhibits A, C, D, E, G, H, and I to the Declaration of Benjamin C.
 5 Elacqua in Support of Apple Inc.'s *Daubert* Motion to Exclude Testimony of Michael J. Dansky.
 6 Apple also hereby moves the Court for permission to redact portions of Apple's *Daubert* Motion
 7 to Exclude Testimony of Michael J. Dansky, filed herewith as Exhibit 1 to the Declaration of
 8 Jacqueline Tio in Support of Apple's Administrative Motion to File Under Seal ("Tio
 9 Declaration").

10 The entirety of Exhibits A and D to the Elacqua Declaration contains material designated
 11 by Plaintiff GPNE Corp. ("GPNE") and Apple as "Confidential – Attorneys' Eyes Only" under
 12 the Protective Order (Dkt. No. 86).

13 The entirety of Exhibit C to the Elacqua Declaration contains material designated by
 14 GPNE and respective third parties as "Confidential – Attorneys' Eyes Only" under the Protective
 15 Order (Dkt. No. 86).

16 The entirety of Exhibits G and H to the Elacqua Declaration contains material designated
 17 by Apple as "Confidential – Attorneys' Eyes Only" under the Protective Order.

18 The entirety of Exhibit E to the Elacqua Declaration contains material designated by Apple
 19 and by third party Intel Corporation as "Confidential – Attorneys' Eyes Only" under the Protective
 20 Order.

21 The entirety of Exhibit I to the Elacqua Declaration contains material designated by GPNE
 22 and respective third parties as "Confidential – Attorneys' Eyes Only" under the Protective Order.

23 Portions of Apple's *Daubert* Motion refer to and contain materials designated by Apple or
 24 GPNE, consistent with the parties' requested sealing of Exhibits A, C, D, E, G, H, and I.

Apple’s request is narrowly tailored to seal only information that is designated by Apple or GPNE as confidential. For the foregoing reasons, Apple respectfully requests that the Court grant Apple’s request to file the above documents under seal.

Dated: February 27, 2014

FISH & RICHARDSON P.C.

By: /s/ Jacqueline Tio
Jacqueline Tio

Attorneys for Defendant
APPLE INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 27, 2014, all counsel of record who are deemed to have consented to electronic service are being served with a copy of **APPLE'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL** via the Court's CM/ECF system.

By: /s/ Jacqueline Tio
Jacqueline Tio